

**FISHER ISLAND MUNICIPAL ADVISORY COMMITTEE  
COMMITTEE MEETING**

UNAPPROVED MINUTES FOR  
WEDNESDAY, APRIL 27, 2005

FISHER ISLAND TENNIS CENTER

**1. Call to Order**

With MAC Chairperson, Ira Ostrow presiding, the April 27, 2005 Fisher Island MAC meeting was called to order at 6:00 PM.

**2. Role Call**

Present were the following:

Javier Acosta  
Jorge Garcia  
Robert Vole  
William Charouhis  
Ira Ostrow  
Carolyn Sakolsky (arrived late)

Mr. Michael Pearce was absent

**3. Approval of Minutes**

Mr. Acosta called for a motion to approve the Minutes of the 2/23/05 meeting the motion was seconded a vote was taken and the Minutes were approved.

The Minutes of the 1/5/05 Public Hearing; Budget Subcommittee Meetings of 3/7/05 and 3/28/05; and 3/30/05 meeting were distributed to MAC members and to Jason Rodriguez. Those minutes will be reviewed and approved at the next meeting.

**4. Miami Dade Police Department Proposal for Local Patrol**

Mr. Ostrow gave a brief background on the issue of the proposals received from the Miami-Dade Police Department. The MAC continues to be concerned that the numbers presented by the MDPD are substantially higher when compared to current services on the Island. The floor was open for comments and suggestions on the issue.

Jorge Garcia distributed copies of a letter he has prepared for the police department.

Mr. Ostrow read the letter addressed to Robert Parker, Director, Miami-Dade Police Department.

Mr. Garcia explained that this letter is Draft 1 of the letter. Mr. Garcia feels that the letter should be changed to reflect that it comes from all the MAC members.

Mr. Ostrow feels the letter should request an order with a proposal that fits the allocated budget. Although, he feels it should not read as an ultimatum but a request. Mr. Ostrow asks Jason Rodriguez if he has ever participated in a MAC that dealt with a matter such as the uniqueness of Fisher Island and the issue with the police department.

Mr. Rodriguez's response is "no" he has never dealt with similar situation involving a proposed municipality. However, he has seen municipalities draw up their own proposals and present it to the MDPD for negotiation or approval. Mr. Rodriguez feels that the letter from Mr. Garcia does not provide enough information to the police department to ascertain how the MAC came up with the \$122,987 budget for local patrol services mentioned in the letter.

Mr. Garcia explained that the number used is based on the number of calls made and the figure came from the Fiscal Year budget from Miami-Dade County.

Mr. Ostrow asked if it was possible to form a small subcommittee meeting to discuss and create a final letter to MDPD Director during the month of May.

Mr. Rodriguez says absolutely, provided the meeting is advertised it is not a problem. He also explained to Ms. Sakolsky where she can obtain copies of other municipalities' proposals.

Mr. Rodriguez feels that the figure may be too low because it does not include other costs for municipalities like benefits, etc.

Mr. Ostrow feels it can go lower. Mr. Garcia feels it is fair considering the actual area they would be patrolling. He feels the MDPD thinks they will be setting up shop inside the private area of the island and patrol the private areas, when in fact they will only patrol the off island public area. Mr. Garcia feels if there is a 911 emergency where they have to come in they do but if there isn't an emergency they just patrol. This is what they do now and he does not feel this should change so drastically. The police department currently only visits one time per day (not even one visit per shift).

Mr. Ostrow refers to the Home Rule Charter. He states that the Charter says you

have to maintain a contractual relationship with the police department but it does not say that the city has to accept an unreasonable offer.

The MAC sets a Budget Subcommittee meeting for May 2, 2005 at 9:30 a.m at Cafe Tangier for the purpose of finalizing the proposed letter to the director of the MDPD.

## **5. Pro Forma Budget**

Mr. Ostrow opens the floor for discussion of the Pro Forma Budget, which was handed out at the last meeting. He states that personally he is comfortable with the proposed budget. Mr. Ostrow asks Mr. Rodriguez if he has shared the budget with anyone within the incorporation and annexation committee.

Mr. Rodriguez explains that he shared it with his boss, Peter Villar. Mr. Rodriguez states that he has some input and comments regarding the budget.

Mr. Ostrow gives him the floor. Mr. Rodriguez provides some observations on the draft budget as follows:

- Under Ad Valorem amount you could use the amount provided on impact to UMSA. Those figures are based on revenues and expenditures analyzed by his office based on actual taxable values, etc.
- The mitigation payment should not be reflected in the estimated revenue. The revenues should be kept separate from the expenditures.
- Under fees and permits the figure should be broken down to show what it represents.
- Gas tax – where did the number come from; this should be identified.
- The county has to have a clear understanding of where the figures are coming from.

Mr. Rodriguez comments on the second page of the budget as follows:

- Need to include the QNIP listed in Impact to UMSA under General Government. The number can be rounded out and this will enhance the numbers.
- Under signage - what is the definition of signage as it applies to your budget and where will signage be placed.
- Public safety area for special police service should be 0.
- Police and Equipment – should include lowest amount presented by police (MAC disagrees because they are still negotiating with the police department)
- Contingency fund – County uses 2%; budget reflects 10%; they recommend you use 5%.
- Capital Projects – Error needs to be corrected.

- There should be a Mitigation allocation included in the expenditures. This is a request, but if you look at the budget all revenues are grouped in one area and all your expenditures are grouped separately. The minimum mill proposal would be 1.5%. He explains that the mitigation is subject to Favorite Nation status. That is the standard.

Mr. Ostrow feels the mitigation issue is not acceptable and that Most Favorite Nation Status cannot be used with a community this small and an impact on UMSA this small and the fact that there are municipalities that were formed prior who have no mitigation at all. Therefore, Favorite Nation Status may not be chosen by anyone.

Mr. Rodriguez refers MAC to Home Rule Charter and Chapter 20 of Miami-Dade County Code, which discusses the guidelines for incorporation.

Mr. Garcia feels that consideration is not being given to the fact that all other municipalities incorporated have public roads and services that have been part of that community prior to being a municipality. In this case, there are private roads, no public roads or access to the island and no real map for the county to follow. So a road map is being applied that applies to 99.9% to the UMSA area that want to become a municipality but does not fit the conformity of Fisher Island. This needs to be taken into consideration.

Mr. Rodriguez explains that MAC members will have the opportunity to present these issues to the Board, as this is not his decision but the Board of County Commissioners. They will review and take into consideration all information provided to them.

Mr. Rodriguez explains for the record that his role is unbiased and all he is supposed to do is provide and relay information.

Mr. Ostrow states that all matters discussed will be reviewed and re-discussed for the benefit of the incorporation effort.

#### **General Discussion Regarding Incorporation:**

Mr. Ostrow asked the Representative for Fisher Island LLC, what the Island is called, because he saw an ad recently in the New York Post where they are called Fisher Island Hotel and Resort. Mr. Ostrow wants clarification.

The Representative was not aware of the name issue or the article. She had no further information.

Mr. Ostrow discusses a preliminary rendering that shows a small town hall next to the existing security office.

**6. Next MAC Meeting:** Wednesday, May 18, 2005; 6 PM

Mr. Rodriguez informs the MAC that he had acted in response to Mr. Ostrow's request to explore whether MAC meetings could be held at the Fire Station. Mr. Rodriguez received a response from Chief Newry citing Homeland Security as the reason why the MAC could not hold its meetings at the Station.

**7. Ethics Training**

Jason Rodriguez says they will advertise May 4th as the Fisher Island MAC Ethics Training along with the Community Counsel at 5:30 at the Tennis Center. The training is anticipated to last 90 minutes.

**8. Adjournment:** Motion was made for adjournment and seconded and the meeting was adjourned.